

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

TYRIECE WASHINGTON,

Petitioner,

vs.

J. SCHULTZ, Warden;

Respondent.

8:24CV403**MEMORANDUM AND ORDER**

This matter is before the Court on its own motion. Petitioner Tyriece Washington filed with the court a Petition for Writ of Habeas Corpus pursuant to [28 U.S.C. § 2241](#), in which he seeks relief with respect to disposition of untried charges in the State of Nebraska. [Filing No. 1](#). Petitioner has another pending habeas case in this court—Case No. 8:24CV179—in which he seeks disposition of the same untried Nebraska state court charges. See [Filing No. 1](#), Case No. 8:24CV179. The Court has not yet conducted an initial review of Petitioner's petition in Case No. 8:24CV179, and has not yet ordered any response from the respondent in that case. See [Filing No. 1 at 4](#) (stating “Nebraska Superior Court has f[ailed] to respond or answer” Petitioner's petition in Case No. 8:24CV179).

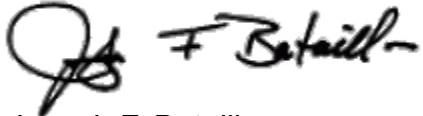
A review of the petitions in this case and Case No. 8:24CV179 clearly indicates that the petitions challenge the same Nebraska detainer and failure to dispose of Petitioner's Nebraska state-court charges and, thus, should not proceed as separate cases. Moreover, the Court believes Petitioner's petition in the present case is more properly construed as a supplemental petition intended for filing in Case No. 8:24CV179. Accordingly,

IT IS ORDERED that:

1. The Clerk of Court is directed to close this case for statistical purposes.
2. The Clerk of Court is directed to file Petitioner's habeas petition, [Filing No. 1](#), as a supplemental habeas petition in case number 8:24CV179.
3. To avoid confusion, any document Petitioner sends to the Clerk of Court for filing in his habeas case must clearly display the correct case number (8:24CV179).
4. The next step in Petitioner's habeas case, 8:24CV179, is for the Court to conduct a preliminary review of the habeas corpus petition and supplemental petition in accordance with Rule 4 of the Rules Governing Section 2254 cases. The Court will conduct this review in due course.

Dated this 8th day of November, 2024.

BY THE COURT:



Joseph F. Bataillon
Senior United States District Judge